

FAQs: Storm Water Management

The National Storm Water Program is EPA's effort to preserve, protect, and improve the Nation's water resources from polluted storm water runoff. The Phase I and II Programs require the implementation of practices to prevent or control polluted storm water runoff from 1) municipal separate storm sewer systems (MS4s) located in urbanized areas, (2) construction activity disturbing 1 acre of land or greater, and (3) eleven categories of industrial activity. Colleges and universities may be affected by any or all three parts of the Storm Water Program. EPA is the permitting authority in Massachusetts and New Hampshire, and has involvement with the Maine Storm Water program. The state agencies in Vermont, Connecticut, and Rhode Island administer the Storm Water Program in their states, and therefore, permit requirements may vary.

The following is a list of commonly asked questions on Storm Water management as it relates to colleges and universities. If there are additional questions, please visit our web site at or contact the appropriate Storm Water personnel.

1. How do you determine if your industrial operation needs to obtain a NPDES Storm Water Permit?

Step 1. Determine whether the storm water from the facility or site discharges to a municipal separate storm sewer system (MS4) or to waters of the United States. If it discharges to one or both, proceed to Step 2, otherwise no permit is needed.

Step 2. Determine if the facility's industrial activities are listed among the eleven Categories of Industrial Activities regulated by the Storm Water program. A list of industrial categories can be found at http://cfpub.epa.gov/npdes/stormwater/licovered.cfm?program_id=6. If its activities are listed, proceed to Step 3, otherwise no permit is needed.

Step 3. Determine if the listed facility or site may qualify for the "no exposure" exclusion under the federal regulations at 40 CFR 122.26(g). EPA's website has a factsheet on "No Exposure" located at <http://www.epa.gov/npdes/pubs/fact4-0.pdf>.

Step 4. If the facility does not meet the "no exposure" exclusions, apply for the appropriate permit.

2. Is there a checklist of Storm Water requirements that colleges and universities can incorporate into their self-audit initiative? If yes, where is it located?

EPA does not have a separate checklist, but the Multi-Sector General Permit does discuss what materials and activities could contaminate Storm Water. Also, the No Exposure form has eleven questions which can help you determine if you are excluded from any part of the program.

Regulated industrial activities are listed at 40 CFR 122.26(b)(14).

3. What type of industrial activities warrant a NPDES Permit?

Vehicle Maintenance Facilities, Power Plants, and Wastewater Treatment Plants are examples of activities which require permit coverage and will need to develop a Storm Water Pollution Prevention Plan. However, it is a good idea for colleges and universities to look at all operations (activities) and try to improve upon them.

4. What responsibilities do colleges and universities located within a regulated MS4 have?

The regulated entities may need to obtain coverage under the General NPDES Storm Water Permit for small MS4s and develop a storm water management program (SWMP) by March 10, 2003. You will have up to five years to implement the SWMP that effectively reduces or prevents the discharge of pollutants into receiving waters.

5. How do the regulations differ between private and public institutions? Do private schools have the same requirements as public schools?

The Industrial and Construction requirements are the same for both public and private colleges and universities. However, for drainage systems, neither public or private need to address the issues if the community is not in a regulated Municipal Storm Sewer System (MS4). State universities located within an urbanized area may need to obtain a General Permit and develop a SWMP by March 10, 2003, if the university owns its own storm sewer system. The EPA Storm Water program does not require private institutions to obtain a permit or to develop a Storm Water Management plan, regardless of whether they fall within an MS4 community. However, if a private institution is within a regulated MS4 community, and uses the community's drainage system, the community may have requirements for the institution and other users of their system. We encourage all parties that are jointly using drainage systems to keep communication open and collaborate where possible on improvements.

6. What types of institutions located within an urbanized area community have Storm Water requirements?

Municipal, State, and Federal facilities located within an urbanized area will be affected by some aspect of the Storm Water program. Facilities that will need to develop and implement SWMP includes: State colleges and universities, DOT, correctional facilities, and Federal institutions.

For regulatory purposes, EPA's NPDES Storm Water Program regulates "medium," "large," and "regulated small MS4s."

A medium MS4 is a system that is located in an incorporated place or county with a population between 100,000 - 249,999.

A large MS4 is a system that is located in an incorporated place or county with a population of 250,000 or more.

A small MS4 is any MS4 that is not covered by Phase I of the NPDES Storm Water Program as a medium or large MS4. (There is no population threshold associated with this definition).

A regulated small MS4 is any small MS4 located in an "urbanized area" (UA), as defined by the Bureau of the Census, or located outside of a UA and brought into the program by the NPDES permitting authority.

A list of regulated MS4s can be found at <http://www.epa.gov/npdes/pubs/mcids.htm> for "Stormwater Program for Regulated Small MS4s: Unincorporated Towns/Townships in Urbanized Areas" is located at <http://www.epa.gov/npdes/pubs/sw-list.htm> for "Stormwater Program for Regulated Medium and Large MS4s." Remember, public institutions that fall in a regulated MS4 are also considered a regulated MS4.

7. Do private institutions have to develop their own Storm Water program if they are located within a regulated MS4?

The EPA Storm Water program does not require private institutions to obtain a permit or to develop a Storm Water Management program, regardless of whether they fall within an MS4 community. However, if a private institution is within an MS4 community, and uses the community's drainage system, the community may have requirements for the institution and other users of their system. We encourage all parties that are jointly using drainage systems to keep communication open and collaborate where possible on improvements.

8. Are all towns in Rhode Island designated as an MS4?

The National Storm Water Program has been delegated to the state of Rhode Island. The State regulations require permits from MS4s that are owned or operated by Federal and State government and serve an average daily population of 1000 people, regardless of the location. This is to avoid having to make decisions on a case-by-case basis and also as part of the State designation of MS4s outside of Urbanized Areas (DOT is not included in this group).

9. If a college or university is not located within a regulated MS4, do they still need to develop a Storm Water Management Plan for their drainage systems?

For colleges and universities that are not within an urbanized area, EPA does not require any action. However, if the institution uses the community drainage system, the community can impose requirements.

10. If a college or university does not have construction projects (disturbing > 1 acre), what are their responsibilities, if any?

The EPA Storm Water program presently requires a permit for construction projects disturbing over five acres. As of March 10, 2003, the EPA or delegated State Storm Water program will require a storm water permit for construction projects disturbing one or more acres. Some States already have programs that require storm water controls for projects smaller than one acre.

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Storm Water Management Web Sites

National Pollutant Discharge Elimination System Permit Program: <http://www.epa.gov/npdes/>

Phase I NPDES Storm Water Program: http://cfpub.epa.gov/npdes/stormwater/swphase1.cfm?program_id=6

Storm Water Phase II Final Rule Fact Sheet Series: http://cfpub1.epa.gov/npdes/stormwater/swfinal.cfm?program_id=6

National Menu of Best Management Practices for Storm Water Phase II: <http://www.epa.gov/npdes/menuofbmps/menu.htm>

Examples of Phase II BMPs And Associated Measurable Goals: <http://www.epa.gov/npdes/stormwater/measurablegoals/part3.htm>

Storm Water Program for Regulated Small MS4s: <http://www.epa.gov/npdes/pubs/mclds.htm>

Storm Water Program for Regulated Medium and Large MS4s: <http://www.epa.gov/npdes/pubs/sw-list.htm>